

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

DEBBIE K. HOUSLEY,)	
)	
Plaintiff,)	
)	
v.)	No. 2:05-0089
)	Judge Nixon
JO ANNE B. BARNHART,)	Magistrate Judge Knowles
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	
Defendant.)	

ORDER

Pending before the Court is Defendant's Motion to Dismiss (Doc. No. 5), and the Magistrate's Report and Recommendation (Doc. No. 6). Plaintiff failed to file responses to either the Motion to Dismiss or the Magistrate's Report. Defendant argues that the case should be dismissed because Plaintiff failed to serve the Attorney General of the United States or the United States Attorney for the Middle District of Tennessee. The Magistrate recommends that this Motion be denied because the three summonses in this case have in fact not been delivered from the Clerk to the United States' Marshal's Service, and therefore have not yet been served. The Magistrate therefore recommends that the Motion be denied and the Clerk issue the summonses and deliver them to the Marshal's Service.

Upon review of the record on this case, Court finds the Magistrate's recommendations to be well-founded and supported by the record, and it hereby ADOPTS the Report in its entirety. Accordingly, the Court hereby DENIES Defendant's Motion and ORDERS the Clerk to issue new

summonses and to deliver them to the U.S. Marshal Service for appropriate service to Defendant.

It is so ORDERED.

Entered this the 5th day of April, 2007.


JOHN T. NIXON, SENIOR JUDGE
UNITED STATES DISTRICT COURT